

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

ANTHONY TUCKER,)	
)	Case No. 1:21-cv-129
<i>Petitioner,</i>)	
)	Judge Travis R. McDonough
v.)	
)	Magistrate Judge Christopher H. Steger
MIKE PARRIS AND HERBERT)	
SLATERY,)	
)	
<i>Respondents.</i>)	

MEMORANDUM AND ORDER

The Court is in receipt of a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 in which Petitioner, a prisoner of the Tennessee Department of Correction housed in the Morgan County Correctional Complex (“MCCX”), seeks habeas corpus relief from convictions in Rutherford County, Tennessee. (*See* Doc. 1, at 1.) For the reasons set forth below, this action will be **TRANSFERRED** to the Nashville Division of the United States District Court for the Middle District of Tennessee.

While Petitioner is currently incarcerated in the MCCX, which is located within this District, his petition challenges convictions in Rutherford County, Tennessee (*see id.*), which lies within the Nashville Division of the United States District Court for the Middle District of Tennessee. 28 U.S.C. § 123(b)(1). Under 28 U.S.C. § 2241(d), a petitioner may file a habeas corpus petition in the district where his judgment was entered or in the district where he is incarcerated. Thus, venue for this § 2254 petition is proper both in this District and in the Middle District of Tennessee.

However, Petitioner's place of confinement may change, while the location of the entry of his judgment of conviction will remain constant, and a court may transfer a case to another district "in the interest of justice." 28 U.S.C. § 1406(a). Accordingly, the consistent practice in the Tennessee federal courts is to transfer habeas corpus petitions to the district in which the convicting court is located. *See Anderson v. Mays*, No. 3:18-CV-00550, 2018 WL 9811901, at *2 (M.D. Tenn. Aug. 8, 2018).!

For these reasons, the Clerk will be **DIRECTED** to transfer this action to the Nashville Division of the United States District Court for the Middle District of Tennessee and to close this Court's file.

AN APPROPRIATE JUDGMENT ORDER WILL ENTER.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE